

From: alhee@waimana.com
To: Bill Meheula
Subject: FW: Auction
Date: Thursday, June 6, 2024 12:48:10 PM

-----Original Message-----

From: Al Hee
Sent: Wednesday, May 15, 2024 11:16 AM
To: 'Huang, Shane (CIV)' <Shane.Huang@usdoj.gov>
Cc: Wendy Hee <wendyh@waimana.com>; Balasko, Zachary (CIV) <John.Z.Balasko@usdoj.gov>; Culpepper Jr., Miniard (CIV) <Miniard.Culpepper@usdoj.gov>
Subject: RE: Auction

My concern is the continuity of service and ongoing employment. If Waimana is not the successful bidder, I cannot make sure that the customers continue to get service. I have sent a letter to the FCC notifying them that service may be disrupted. It will be up to the successful bidder to deal with the customers.

Since no one has contacted Sandwich Isles to inquire how they would provide continuity of service, I am assuming that the other bidders have their own plans to take over service at the end of the month. I therefore need to make sure that I give the employees adequate notice of termination.

These are my thoughts. I welcome any feedback.

-----Original Message-----

From: Huang, Shane (CIV) [<mailto:Shane.Huang@usdoj.gov>]
Sent: Wednesday, May 15, 2024 10:00 AM
To: Al Hee <alhee@waimana.com>
Cc: Wendy Hee <wendyh@waimana.com>; Balasko, Zachary (CIV) <John.Z.Balasko@usdoj.gov>; Culpepper Jr., Miniard (CIV) <Miniard.Culpepper@usdoj.gov>
Subject: RE: Auction

To answer your questions:

- Yes, there are multiple bidders.
- Yes, if we have all bidders' consent, we intend to disclose bids to other bidders before the auction. The auction itself will be open to the public for observing, at which point we would expect bid information to become publicly known.
- I'm not aware of any restriction on how bidders may use the information we provide about other bids - but if you'd like to condition Waimana's consent on any additional restrictions in use or dissemination, please let us know what conditions you would impose.
- We're can't speculate about how the order would apply to any hypothetical situation, such as if someone else seeks to participate in the auction. If another situation arises, we'll have to actually sit down and analyze the language of the order and the applicable law. So instead of doing the work of analyzing that, I'm simply pointing out that there's no reason to believe that hypothetical situation would actually happen.

If we can't reach a set of rules for how the bids will be disclosed to other bidders before the auction, we'd be prepared to move forward with no disclosures before the auction, and everything happening on that day. That may not be the most efficient method, which is why we were thinking it may be better to have some exchange of information beforehand.

Please let us know what you're thinking, and we can figure out a plan that works for everyone.

Shane

-----Original Message-----

From: alhee@waimana.com <alhee@waimana.com>
Sent: Wednesday, May 15, 2024 2:53 PM
To: Huang, Shane (CIV) <Shane.Huang@usdoj.gov>
Cc: wendyh@waimana.com; Balasko, Zachary (CIV) <John.Z.Balasko@usdoj.gov>; Culpepper Jr., Miniard (CIV) <Miniard.Culpepper@usdoj.gov>
Subject: [EXTERNAL] Re: Auction

Sorry I just realized that you were asking to release the information to all bidders not the public. Is there going to be a requirement that the bidders cannot disclose the information to the public?
Sent from my iPhone

On May 15, 2024, at 8:30?AM, Al Hee <alhee@waimana.com> wrote:

? Thanks for the email.

Waimana's president is on a trip so I have been acting by direction for Waimana.

I will get back to you on your request after I get an answer from Wendy.

. Can you confirm that this request is for more than just Waimana. Ie: There are more bidders. And that no more bidders are allowed to participate in the auction. That only those who qualified by submitting a bid by the 13th are able to participate in accordance with the court's order.

That information will be helpful in getting you an answer.

Al

Sent from my iPhone

On May 15, 2024, at 8:16?AM, Huang, Shane (CIV) <Shane.Huang@usdoj.gov> wrote:

?

Al,

Thank you.

In order to facilitate smooth procedures, we're asking bidders if they consent to the disclosure of the following pieces of information before the auction on Monday, to all other bidders:

- * Identity of bidder
- * Description of Assets being bid on
- * Amount of bid

If all bidders agree, we will disclose that information regarding all bids to all bidders.

Also, please confirm that you are authorized to speak for Waimana Enterprises, Inc. for the purpose of this execution sale and auction.

Thanks,
Shane Huang

From: alhee@waimana.com <alhee@waimana.com>

Sent: Monday, May 13, 2024 9:33 PM
To: Huang, Shane (CIV) <Shane.Huang@usdoj.gov>; Iwamuro, Channing (USMS)
<Channing.Iwamuro@usdoj.gov>
Subject: [EXTERNAL] Auction

USA and US Marshal District of Hawaii;

In accordance with the July 26, 2024 US District Court Order, Waimana Enterprises, Inc. submits a bid for the property to be auctioned on May 20, 2024. The Confidentiality Agreement is attached.

- i. The bid is for all of the Property.
- ii. The bidder is Waimana Enterprises, Inc.

c/o Wendy Hee, President

P.O. Box 893128

Mililani, HI 96789

808-599-4441

wendyh@waimana.com<<mailto:wendyh@waimana.com>>

- iii. The amount bid is \$10,000. The total amount has been submitted to the US Marshal via certified mail

U.S. Marshals Service Atten: AO

300 Ala Moana Blvd. Room 2800

Honolulu, HI 96850

- iv. The bid is irrevocable unless and until Plaintiff accepts another bid and Waimana is not selected as a Backup Bid

- v. The bid is not subject to any contingencies or conditions

- vi. Waimana agrees to serve as a Backup Bid if the bid is the highest and best bid after the Successful Bid

- vii. A cashier's check payable to the US Marshall has been submitted via certified mail.

- viii. N/A

- ix. Waimana proposes to use the Property to benefit residents of Hawaiian Home Lands in accordance with applicable law. Waimana has contractual access to all of the equipment currently being used to provide service. Waimana is therefore capable of providing continuity of service in accordance with Sandwich Isles Communications, Inc.'s License from the date the court confirms the purchase.

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